

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 RAMON MURIC-DORADO,

Case No. 2:18-cv-01184-JCM-EJY

5 Plaintiff,

**ORDER**

6 v.

7 LVMPD, *et al.*,

8 Defendants.  
9

10 Before the Court is Plaintiff's document titled "Given Judicial Notice and Request for  
11 Considerations of 'The Prison Mailbox Rule' Provisions." ECF No. 55. A response to this Motion  
12 was filed by Defendants on March 11, 2020, with service on Plaintiff, by mail, on that same date.  
13 No reply was filed by Plaintiff.

14 The Court understands Plaintiff's frustration with his delayed receipt of documents mailed  
15 by Defendants as well as those mailed by the Court. That said, the Court notes that Defendants are  
16 required by Local Rule to file all documents electronically, which, under other circumstances, would  
17 provide Plaintiff with instant notice of such filings. Likewise, the Court's orders, all of which are  
18 filed electronically, would, under other circumstances, give Plaintiff instant access to such orders.  
19 The Court has no power to change the circumstances here as Plaintiff is incarcerated.

20 As Defendants properly identify, the prison mailbox rule is designed to assist prisoners who  
21 have limited ability to monitor court filings or ensure that the Clerk of Court receives the prisoner's  
22 filings in a timely manner. *Houston v. Lack*, 487 U.S. 266, 270-01 (1988). This rule, however,  
23 imposes no specific obligations on Defendants or on the Court. Nonetheless, the Court does take  
24 Plaintiff's incarceration into consideration when determining the timeliness of Plaintiff's filings.  
25 The Court also reviews the certificate of service attached to each filing by Defendants to ensure  
26 documents are mailed on the date they are filed. So far, the Court finds no evidence that Defendants  
27 have delayed mailing any documents to Plaintiff. The Court also expressly orders the Clerk of Court  
28 to mail copies of each of the Court's Orders to Plaintiff.

1 In the future, if Plaintiff believes he was prejudiced due to the late receipt of a document  
2 filed by Defendants or the Court, or believes he was prejudiced by the Court's failure to timely  
3 receive a document Plaintiff filed, Plaintiff may notify the Court through a filing providing the facts  
4 supporting Plaintiff's belief and a statement seeking relief. A review of the docket to date does not  
5 evidence any prejudice to Plaintiff by virtue of late filings or late receipt by Plaintiff of filings by  
6 the Court or Defendants.

7 Accordingly, and with due consideration given to Plaintiff's concerns,

8 IT IS HEREBY ORDERED that Plaintiff's Request for Consideration of the Prison Mailbox  
9 Rule (ECF No. 55) is DENIED.

10 IT IS FURTHER ORDERED that the Clerk of Court **shall** mail a copy of this Order to  
11 Plaintiff at:

12 Ramon Muric-Dorado, #77774  
13 High Desert State Prison  
14 P.O. Box 650  
Indian Springs, NV 89070

15 DATED: March 27, 2020

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17 ELAYNA J. YOUCHAK  
18 UNITED STATES MAGISTRATE JUDGE  
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